

1 Daniel C. Girard (CA Bar No. 114826)
Elizabeth Pritzker (CA Bar No. 146267)
2 Aaron M. Sheanin (CA Bar No. 214472)
3 Steven G. Tidrick (CA Bar No. 224760)

GIRARD GIBBS LLP

4 601 California Street, 14th Floor
5 San Francisco, California 94104
Telephone: (415) 981-4800
6 Facsimile: (415) 981-4846

7 *Attorney for Plaintiff Mark Foy*

8
9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 DONALD WORTMAN, WILLIAM
13 ADAMS, MARGRET GARCIA,
14 individually and on behalf of all other
similarly situated,

15 Plaintiffs,

16 v.

17 AIR NEW ZEALAND LTD.; ALL
18 NIPPON AIRWAYS CO. LTD; CHINA
19 AIRLINES, LTD.; EVA AIRWAYS
CORPORATION; JAPAN AIRLINES
INTERNATIONAL CO. LTD.;
MALAYSIA AIRLINE SYSTEM
BERHAD; QANTAS AIRWAYS, LTD.;
20 SINGAPORE AIRLINES, LTD.; and
21 THAI AIRWAYS INTERNATIONAL
PUBLIC COMPANY, LTD.,

22 Defendants,

Case No. CV-07-5634 (CRB)

MDL No. 1913

**DECLARATION OF AARON M.
SHEANIN IN SUPPORT OF
PLAINTIFF MARK FOY'S
ADMINISTRATIVE MOTION TO
RELATE CASES**

23
24 This Document Relates to:

25 *Mark Foy v. Air New Zealand, et al.,*
Case No. CV-07-6219 (EDL)

1 I, Aaron M. Sheanin, declare as follows:

2 1. I am a member in good standing of the California State Bar and a partner of the law
3 firm of Girard Gibbs LLP, counsel of record for Plaintiff in *Mark Foy, et al. v. Air New Zealand,*
4 *et al.*, Case No. CV-07-6219 (EDL). I make this declaration based on my personal knowledge,
5 and if called to testify to the contents thereof, I could and would competently do so.

6 2. Attached hereto as **Exhibit A** is a true and correct copy of the class action
7 complaint filed on November 6, 2007, in *Wortman v. Air New Zealand Ltd.*, Case No. CV-07-
8 5624 (CRB).

9 3. Attached hereto as **Exhibit B** is a true and correct copy of the class action
10 complaint filed on December 7, 2007 in *Mark Foy, et al. v. Air New Zealand, et al.*, Case No. CV-
11 07-6219 (EDL), and assigned to Hon. Elizabeth D. Laporte.

12 4. Attached hereto as **Exhibit C** is a true and correct copy of the Transfer Order in *In*
13 *re Transpacific Passenger Air Transportation Antitrust Litigation*, MDL No. 1913 (J.P.M.L. Feb.
14 19, 2008).

15 5. A stipulation pursuant to Civil Local Rule 7-11(a) could not be obtained because
16 defendants in this action have not yet appeared.

17 I declare under penalty of perjury that the foregoing facts are true and correct and that this
18 declaration was executed this 20th day of February 2008, in San Francisco, California.

19
20 /s/ Aaron M. Sheanin
21 Aaron M. Sheanin
22
23
24
25
26
27
28